

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PETRÓLEOS DE VENEZUELA, S.A., PDVSA  
PETRÓLEO, S.A., and PDV HOLDING, INC.,

Plaintiffs and Counterclaim Defendants,

- against -

MUFG UNION BANK, N.A. and GLAS  
AMERICAS LLC,

Defendants and Counterclaim Plaintiffs.

No. 19 Civ. 10023 (KPF)

**DECLARATION OF CHRISTOPHER J. CLARK IN SUPPORT OF  
DEFENDANTS AND COUNTERCLAIM PLAINTIFFS' MOTION TO STRIKE  
UNAUTHORIZED SUBMISSION OF CARLOS VECCHIO (ECF NO. 80)**

CHRISTOPHER J. CLARK hereby declares, pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to practice in this Court and a member of the law firm of Latham & Watkins LLP, 885 Third Avenue, New York, New York 10022-4834. I am counsel for Defendants and Counterclaim Plaintiffs MUFG Union Bank, N.A. (the "Trustee") and GLAS Americas LLC (the "Collateral Agent"), in their respective capacity as Trustee and Collateral Agent, under the Indenture dated October 27, 2016, and the Pledge and Security Agreement dated October 28, 2016, governing PDVSA's Senior Secured Notes due 2020, in the above-captioned case. I submit this declaration to place before the Court certain documents referred to in the accompanying Motion to Strike Unauthorized Submission of Carlos Vecchio (ECF No. 80) filed in this action on June 26, 2020.

2. Attached as Exhibit 1 is a true and correct copy of a transcription of an excerpt of a conversation involving the Special Attorney General to the Bolivarian Republic of Venezuela (the "Republic"), Dr. José Ignacio Hernández. The excerpt was released in audio

format during a press conference on or about June 18, 2020. Exhibit 1 provides the transcription of that audio in its original Spanish, as well as in its certified English translation.

3. Attached as Exhibit 2 is a true and correct copy of the signed Stipulation and Order Governing Expert Discovery.

4. Attached as Exhibit 3 is a true and correct copy of excerpts of the transcript of the February 6, 2020 hearing in this matter before this Court.

5. Attached as Exhibit 4 is a true and correct copy of the resignation letter of José Ignacio Hernández, dated May 28, 2020, and a tweet by José Ignacio Hernández, dated June 18, 2020. Exhibit 4 provides the resignation letter and tweet in their original Spanish, as well as certified English translations.

6. Attached as Exhibit 5 is a true and correct copy of a press release issued on behalf of the Guaidó Administration titled “PDVSA 2020 Bond Trial Doesn’t Mean Repudiation of Venezuela’s Foreign Debt,” dated November 14, 2019 and published in both Spanish and English on the Centro de Comunicación Nacional (“National Communication Center”) website. The press release was last accessed electronically on June 26, 2020.

7. On June 16, 2020, I sent a letter to Donald Verrilli of Munger, Tolles & Olson (“Munger Tolles”), counsel to the Republic, informing him that the Republic’s June 9, 2020 filing of a letter from its Ambassador to the United States, Carlos Vecchio (ECF No. 80) was improper. Attached as Exhibit 6 is a true and correct copy of that letter.

8. On June 22, 2020, I participated in a meet and confer conference with counsel at Munger Tolles to discuss withdrawal of the Republic’s letter. During the call, Munger Tolles informed me that they would not withdraw their submission. Munger Tolles also

informed me that they believed the submission was proper under Federal Rule of Civil Procedure 44.1.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 26, 2020  
Greenwich, Connecticut

A handwritten signature in cursive script, reading "Christopher J. Clark".

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Christopher J. Clark